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11/22/02

Patent
Attorney's Docket No. 017753-137

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TECH CENTER 1600/2900

In re Patent Application of:)
Etienne REGULIER *et al.*) Group Art Unit: 1632
Application No.: 09/762,573) Examiner: Liping Chen
Filed: February 8, 2001) Confirmation No.: 5075
For: COMPOSITION FOR)
IMPLEMENTING A CYTOTOXIC,)
IN PARTICULAR AN)
ANTITUMORAL OR ANTIVIRAL)
TREATMENT IN A MAMMAL)

SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This Response to Restriction Requirement is in complete response to the Official Action (Restriction Requirement) mailed on August 5, 2002 (Paper No. 4) and the Office Communication dated November 6, 2002.

Applicants provide the following clarification regarding the election made on October 7, 2002.

Applicants hereby elect, with traverse, **Group I (i.e., 1-7, 11-15, 19, 20, 23 and 24)**, drawn to drawn to a composition comprising a) a nucleic acid sequence encoding all or part of an MIP chemokine and b) at least one nucleic acid sequence encoding all or part of a cytokine having at least cytotoxic activity, a vector, a formulation, and a method of treating a patient in need.



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AMENDMENT/REPLY TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is a reply for the above-identified patent application.

- ☐ A Petition for Extension of Time is also enclosed.
- ☐ A Terminal Disclaimer and a check for ☐ \$55.00 (2814) ☐ \$110.00 (1814) to cover the requisite Government fee are also enclosed.
- ☐ Also enclosed is _____.
- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) request continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$370.00 (2801) ☐ \$740.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) previously submitted __, on __, for which continued examination is requested.
- ☐ Applicant(s) request suspension of action by the Office until at least __, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (146/246) is also enclosed.
- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below:

AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADDT'L FEE
Total Claims		MINUS =		× \$18.00 (1202) =	
Independent Claims		MINUS =		× \$84.00 (1201) =	
If Amendment adds multiple dependent claims, add \$280.00 (1203)					
Total Amendment Fee					
If small entity status is claimed, subtract 50% of Total Amendment Fee					
TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT					

☐ A claim fee in the amount of \$_____ is enclosed.

☐ Charge \$_____ to Deposit Account No. 02-4800.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: _____

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Date: November 20, 2002